

#### REMARKS

In the Office Action dated 06/07/2006, the abstract was objected to and Claims 1-12 were rejected based on prior art. In this amendment, the two paragraphs of the original abstract have been combined into a single paragraph of less than 150 words and the phrase "disclosed is" has been deleted. Furthermore, Claims 1 and 5 have been amended to correct a typographical error and to include additional limitations that avoid the cited art. A new independent claim has also been added.

Claims 1-12 were rejected under 35 U.S.C. section 102(e) as being anticipated by Fleming III et al (6,973,461).

Fleming teaches a method and apparatus for controlling reproduction of an audiovisual work. He notes in his description of the related art that it is known in the prior art to place multiple versions of the same movie on a DVD disk. In the Fleming invention, a database remote from said disk is created and includes pointing information that singles out "objectionable video frames" (col. 2, line 10) of various movies. When a movie is played in a DVD playing device, said device can be loaded with said pointing information from said database to cause said device to play the movie in a manner whereby playing of the movie entails "jumping past all objectionable scenes" (col. 2, line 35). Objectionable matter is thereby edited from the playback via a deletion of objectionable frames of the movie. It should be noted that a frame of a movie includes both video and audio

portions of the movie.

The invention is a DVD movie disk that contains a video track and multiple soundtracks. The soundtracks include a first soundtrack that provides the sound to go along with the video track to thereby form a first playback version of the movie. The disk also includes another soundtrack in the form of a "clean" version of the first soundtrack. The clean soundtrack is in the same language as the first soundtrack. However, the clean soundtrack does not include at least one objectionable word found in said first soundtrack. In this manner, a user has the option of watching the movie by combining either of the first or clean soundtracks with the same video track and thereby either watch a regular version of the movie, or a version of the movie that does not include certain objectionable words. It should be noted that the clean version of the movie uses the identical video track as is employed with the regular version of the movie. There is no editing, or cutting, of any scenes from the video track. This is completely unlike the prior art.

Many parents do not wish their very young children to hear certain words until the children are older. A significant reason for this is that a child will often repeat a word without knowing what said word means. If the child hears an objectionable word while listening to a movie, an embarrassing, or awkward, situation can arise if the child repeats said objectionable word at an inappropriate moment. While this is often unavoidable, many

parents would at least like to be given the means to enable them to try to accomplish this feat. In addition, many people are made uncomfortable when they hear certain words. For these people, having said words in a movie's soundtrack can degrade their movie viewing experience. Through the addition of a clean soundtrack on the device storing a movie, the invention involves a unique structure and method that provides people with a new movie viewing option. The prior art has never recognized these needs, nor has it come up with a solution that focuses solely on the audio track and can combine a changed audio track with a standard video track.

Claims 1 and 5 have been amended to more completely detail the unique aspects of the invention to thereby further distinguish the claims from the prior art. Language has been added to each of Claims 1 and 5 whereby a user can select to view a movie using the same video track with EITHER of two same language soundtracks wherein one of said soundtracks is unmodified and the other has been modified to not include at least one word that is objectionable and/or would change the movie's rating. Fleming, as well as the other prior art, requires a user wishing to watch a clean version of a movie to watch a version in which frames of the movie, including both video and audio segments, are either deleted or modified. Deleting or changing frames of a movie may degrade a user's viewing experience and/or may not be achievable due to limitations of the

recording media and/or playing device.

It was the examiner's contention that Fleming's teaching of having multiple versions of the same version of a movie read on the original claim 1. The specifics of the amended claim, whereby the same video soundtrack is employed with either a regular, or clean, soundtrack are not found in the Fleming reference. There is no description in Fleming, either implicit or implied, of employing two soundtracks in the same language with a single video track to give a user the option of watching a movie with an uncut video portion and a soundtrack that does not employ objectionable words. When a DVD disk has two versions of a movie, each version will have its own video track. A user would not have the option of watching a particular video track with one or the other of two same-language audio tracks.

Further concerning Claim 5, it is the examiner's contention that Fleming can delete objectionable scenes to thereby delete any objectionable words. However, Fleming's method of deleting an objectionable word involves deleting any frame of the movie in which said word occurs, thereby changing the video portion of the movie as well as the audio portion. This is completely unlike the invention whereby a user wishing to watch a movie with the clean soundtrack does not employ any changes to the movie's video track.

Concerning Claims 2-4 and 6-9, these claims depend on independent claims that have been amended herein to avoid the

cited art. Therefore, these claims, in combination with their parent claim(s), provide limitations not found in the Fleming reference.

Concerning Claims 10-12, these claims were also rejected under 35 USC 102(e) based on the Fleming reference. However, after reviewing the Fleming reference, reasonable equivalents for a number of limitations included in the originally filed claims were not evident. Specifically:

Per Claim 10:

- a.) lines 9-12 "having said computer analyze at least a portion of said data ... whereby ... it recognizes the individual words in said soundtrack ..." - The Fleming computer only picks portions of a movie and does not recognize any words of a soundtrack.
- b.) lines 13-14 "said computer then attempts to match each word of said soundtrack against a predetermined list of words" - The Fleming computer does not perform any word matching operation, nor is there a list of predetermined words that it can match a soundtrack word against.
- c.) lines 15-17 "if said computer finds a word in said soundtrack that is also included in said predetermined list of words, the computer will then modify said soundtrack" - Fleming does not teach the use of a computer to perform a modification operation whereby it

actually modifies a word in a soundtrack.

- d.) lines 20-21 wherein a user can "listen to the words in said soundtrack and not hear any words that are included in said predetermined list of words" - Again, the Fleming invention does not include a list of words employed by said computer.

Per Claim 11:

Lines 2-5 - when a word on a soundtrack is in the word list, the computer will "delete said particular word... and play no word in the place of the deleted word" - Fleming does not teach having the computer specifically delete a single word based on a comparison operation.

Per Claim 12:

Lines 1-4 - when a word on a soundtrack is in the word list, the computer will "play an altered word in lieu of said particular word" - Fleming does not teach having the computer specifically change a single word based on a comparison operation.

It should be noted that the area in the Fleming reference, column 1, lines 63-67, that the examiner cited as a teaching relative to the invention of Claims 10-12, states, "What is needed is a method and apparatus which allows a parent to edit a pre-existing rated work on a DVD by removing objectionable material or by replacing objectionable material ..." Said citation area provides no teaching on the steps a software

program might follow to accomplish what Fleming thought would be needed. Specifically, no mention is made of using a predetermined list of words, analyzing a soundtrack, and comparing the soundtrack to said list of words. The examiner's other point of citation for this rejection, col. 2, lines 43-48, similarly provides no specific guidance on how to accomplish the noted objective.

Claims 1-12 were rejected under 35 U.S.C. section 102(b) as being anticipated by Tsuga et al (5,691,972).

Tsuga teaches a multimedia optical disk which conforms to the motion picture rating systems in a variety of countries. Once the movie data is on the disk, said movie data is parsed into tiny blocks (VOB's), wherein each block includes both audio and video information. Each block is given a rating and its exact location on the disk is noted. The Tsuga disk also includes a data area having a number of files, wherein each file is associated with a particular rating used in a particular country. Within each file is an instruction set that basically creates a chain (PGC) of said VOB's. In this manner, a user wishing to watch a movie will view all of the VOB's on the disk, or a subset containing a lesser number of VOB's, depending on the selected rating and country initially selected for viewing of the movie. For example, if a movie was originally a US movie that had an 'R'-rating, a user wishing to see that same version of the movie would pick a the US, 'R'-rating file having a PGC/chain that

specifies that all of the disk's VOB's be shown. A user wishing to see a 'G'-rated version of the same movie would pick the US, 'G'-rating file having a PGC/chain that specifies that only some of the disk's VOB's be shown, i.e.- the chain would only include the disk's VOB's that have a 'G'-rating.

As noted previously, Claims 1 and 5 have been amended to note that a user can watch a movie wherein the same video track can be played with either of two audio tracks that are in the same language. In Tsuga, if one were to go from an 'R'-rated PGC created video to a 'G'-rated PGC created video, the latter PGC video would only include the 'G'-rated VOB's and therefore the video track would effectively be cut. This is completely different from the invention whereby the video track is unaffected by a user's choice of a regular or clean soundtrack.

Concerning Claims 2-4 and 6-9, these claims depend on independent claims that have been amended to avoid the cited art. Therefore, these claims, in combination with their parent claim(s), provide limitations not found in the Tsuga reference.

Concerning Claims 10-12, these claims were also rejected under 35 USC 102(b) based on the Tsuga reference. However, the original claims include limitations that do not appear to be included, directly or by inference, in the Tsuga reference. Specifically,

Per Claim 10:

a.) lines 9-12 "having said computer analyze at least a



portion of said data ... whereby ... it recognizes the individual words in said soundtrack ..." - The Tsuga computer specifically targets portions of a movie based on their rating and then edits them using their location. The computer does not have any specified functionality that would cause it to recognize any words of a soundtrack.

- b.) lines 13-14 "said computer then attempts to match each word of said soundtrack against a predetermined list of words" - The Tsuga computer does not perform any matching function based on soundtrack words, nor is there a list of predetermined words that it can match a soundtrack word against.
- c.) lines 15-17 "if said computer finds a word in said soundtrack that is also included in said predetermined list of words, the computer will then modify said soundtrack" - Tsuga does not teach the use of a computer to perform an operation whereby it actually modifies a word in a soundtrack.
- d.) lines 20-21 a user can "listen to the words in said soundtrack and not hear any words that are included in said predetermined list of words" - Again, the Tsuga invention does not include a list of words that the computer functionally employs.

Per Claim 11:

Lines 2-5 - when a word on a soundtrack is in the word list, the computer will "delete said particular word... and play no word in the place of the deleted word" - Tsuga does not teach having the computer specifically delete a single word based on a comparison operation.

Per Claim 12:

Lines 1-4 - when a word on a soundtrack is in the word list, the computer will "play an altered word in lieu of said particular word" - Tsuga does not teach having the computer specifically change a single word based on a comparison operation.

Concerning newly added Claim 13, the claim notes that the movie can be shown in a manner whereby a single video portion is combined with either of two soundtracks that are in the same language. Furthermore, the claim includes a limitation whereby each of said soundtracks, as well as the video portion, are separate from each other (note application fig. 1). A movie storage device having these limitations is not found in either of the Fleming, Tsuga or other prior art references.

It is respectfully submitted that none of the references, alone or in combination, discloses a DVD disk, system or any form of data storage device that teaches, or makes obvious, the invention.

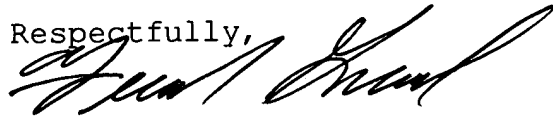
If the Examiner feels that any further discussion of the invention would be helpful, applicant's representative is

available at 520-882-4025 and earnestly solicits such discussion.

Subject to the above amendments and remarks, favorable reconsideration of the instant invention and early allowance of the claims are courteously requested.

Since this amendment adds a fourth independent claim, the fee for an additional independent claim is included with this amendment.

Respectfully,



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